

**United States District Court
Western District of North Carolina
Asheville Division**

| | | |
|----------------------------|---|-----------------------|
| TD BANK, N.A., |) | JUDGMENT IN CASE |
| |) | |
| Plaintiff, |) | 1:16-cv-00144-MOC-DSC |
| |) | |
| vs. |) | |
| |) | |
| BILTMORE INVESTMENTS, LTD, |) | |
| |) | |
| Defendant. |) | |

DECISION BY COURT. This action having come before the Court and a decision having been rendered;

IT IS, THEREFORE, ORDERED AND ADJUDGED that Judgment is hereby entered in accordance with the Court's October 13, 2016 Order that:

- Plaintiff's Motion to Dismiss defendant's counter-claim (#10) is GRANTED;
- Defendant's counter-claim (#9) is DISMISSED;
- Plaintiff's Motion for Judgment on the Pleadings (#16) is GRANTED;
- Defendant is ordered to deliver to plaintiff the three manufactured homes named as collateral in plaintiff's Complaint (#1); and
- Defendant is ordered to pay plaintiff the amount of deficiency as well as any applicable statutory interest.

October 13, 2016



Frank G. Johns, Clerk
United States District Court

